

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CLAIRE J. KAY, an individual, and	)	CASE NO. 8:12-mc-82
CLAYMORE CONSTRUCTION, CO.,	)	
a Michigan corporation,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	<b>INDEX OF EVIDENCE IN SUPPORT OF</b>
	)	<b>MOTION TO STRIKE PURPORTED</b>
UNITED OF OMAHA LIFE	)	<b>REGISTERED JUDGMENT</b>
INSURANCE COMPANY, a Nebraska	)	
corporation,	)	
	)	
Defendant.	)	

COMES NOW the Defendant, United of Omaha Life Insurance Company ("United"), and submits the following evidence in support of its Motion to Strike Purported Registered Judgment:

Exhibit 1: Declaration of James E. Brenner.

Exhibit 1(A): Judgment.

Exhibit 1(B): Motion to Stay Execution of Judgment.

Exhibit 1(C): Defendant's Notice of Appeal.

Exhibit 1(D): Plaintiffs' Notice of Cross-Appeal.

Dated this 6<sup>th</sup> day of September, 2012.

UNITED OF OMAHA LIFE  
INSURANCE COMPANY, Defendant

By: /s/ Timothy J. Thalken  
Timothy J. Thalken, #22173  
FRASER STRYKER PC LLO  
500 Energy Plaza  
409 South 17<sup>th</sup> Street  
Omaha, NE 68102  
402-341-6000  
[tthalken@fraserstryker.com](mailto:tthalken@fraserstryker.com)  
ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically with the United States District Court for the District of Nebraska on September 6, 2012, using the CM/ECF system, and that a true and correct copy of the above and foregoing was sent by the undersigned on September 6, 2012, by regular United States mail, postage prepaid, to the following:

Jeffrey B. Morganroth  
Jeffrey M. Thomson  
Mayer Morganroth  
MORGANROTH, MORGANROTH LAW FIRM  
344 North Old Woodward Avenue, Suite 200  
Birmingham, MI 48009  
ATTORNEYS FOR PLAINTIFFS

James E. Brenner  
Todd J. Skowronski  
CLARK HILL LAW FIRM-DETROIT  
500 Woodward Avenue, Suite 3500  
Detroit, MI 48226-3435

/s/ Timothy J. Thalken

658576